

Message Text

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INFO OCT-01 ISO-00 CIAE-00 PM-05 INR-10 L-03 ACDA-12
NSAE-00 PA-01 SS-15 SP-02 ICA-11 TRSE-00 NSC-05
/077 W

-----006826 060357Z /66

R 051752Z APR 78
FM AMEMBASSY MADRID
TO SECSTATE WASHDC 4124
USCINCEUR VAIHINGEN GER
INFO SECDEF WASHDC
USMISSION USNATO
USAFE RAMSTEIN GER
CINCUSAREUR HEIDELBERG GER
CINCUSNAVEUR LONDON ENG

LIMITED OFFICIAL USE SECTION 01 OF 02 MADRID 03638

E.O. 11652: N/A
TAGS: MPOL, NATO, SP
SUBJECT: ALLIED DEFENSE CONTRIBUTIONS (SPAIN)

REF: (A) STATE 77837 (DTG 250235Z MAR 78),
(B) MADRID 3242 (DTG 281101Z MAR 78) (NOTAL),
(C) USCINCEUR 031110Z APR 78

1. REF B QUESTIONED LUMPING TOGETHER OF SPAIN AND NATO
SINCE OUR DEFENSE ARRANGEMENTS WITH SPAIN ARE OF
DIFFERENT NATURE (PRECISE QUID PRO QUO AGREEMENTS WITHOUT
A SECURITY GUARANTEE).

2. THE FOLLOWING SHOULD BE READ KEEPING IN MIND THAT THE
BALANCE OF CONTRIBUTIONS BY THE U.S. AND SPAIN TO MUTUAL
DEFENSE MUST BE MEASURED IN TERMS OF THE TOTAL PACKAGE
CONTAINED IN THE TREATY OF FRIENDSHIP AND COOPERATION
AND ITS AGREEMENT IN IMPLEMENTATION, RATHER THAN IN
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SPECIFIC AREAS. THUS, WE DO NOT CONSIDER THIS EXERCISE
PARTICULARLY MEANINGFUL IN THE CASE OF SPAIN, AND
RECOMMEND AGAINST PRESENTING IT IN A WAY WHICH WOULD
CONTRAST IT WITH REPORTS FROM NATO COUNTRIES.

A. LOCAL LABOR OR OTHER SERVICES:

GOS HAS PROVIDED UNREIMBURSED SUPPORT OF LOCAL LABOR PERSONNEL OF U.S. FORCES, BUT THAT IS COMING TO AN END.

PARA 10, ARTICLE XXXVI, 1976 AGREEMENT IN IMPLEMENTATION, PROVIDES THAT U.S. FORCES IN SPAIN SHALL PAY ADMINISTRATIVE EXPENSES INCURRED BY THE SPANISH MILITARY IN ADMINISTERING THE INDIRECT HIRE SYSTEM. CONCERNING SERVICES, PARA 3 PROCEDURAL ANNEX I OF THE AGREEMENT PROVIDES THAT EACH COUNTRY WILL BEAR ITS OWN O&M COSTS OF FACILITIES USED EXCLUSIVELY BY THAT COUNTRY. EACH COUNTRY WILL ALSO BEAR ITS O&M COSTS FOR JOINT-USE FACILITIES WITHOUT SEEKING REIMBURSEMENT UNLESS OTHERWISE AGREED. GOS PROVIDES NO UNREIMBURSED O&M SUPPORT AT THE BASES. FROM 1972-1977 THE POL PIPELINE, A FACILITY BUILT BY U.S. AND TURNED OVER

GOS PROVIDED FREE THRUPUT OF U.S. FUEL PRODUCTS THROUGH 1976 AGREEMENT, U.S. AGREED TO CONTRIBUTE \$600,000 YEARLY FOR O&M OF POL PIPELINE AND TERMINALS BEGINNING 1 JAN 1978. U.S. PROVIDES SOME O&M SUPPORT, PRIMARILY UTILITIES SUCH AS HEAT, ELECTRICITY, WATER, AND SEWAGE TREATMENT, TO SPANISH-USED BASE FACILITIES. WHILE SPANISH NAVY HAS BEEN PAYING FOR UTILITIES PROVIDED BY USN TO FACILITIES USED BY SPANISH NAVY, ONLY RECENTLY HAS USAF BEGUN TO HAVE FURNISHED SINCE 1970 TO FACILITIES USED BY SPANISH AIR FORCE. U.S. PROVIDES SIGNIFICANT UNREIMBURSED SUPPORT OF JOINT USE FACILITIES, SUCH AS MAINTENANCE OF RUNWAYS, NAVIGATIONAL AIDS, COMMUNICATIONS, ETC. IN MANY OF THESE INSTANCES EQUIPMENT IS PROVIDED BY U.S. IN ONLY ONE CASE LIMITED OFFICIAL USE

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DO SPANISH FORCES PROVIDE SUPPORT OF A MAJOR JOINT-USE FACILITY, THE BARDENAS-REALES FIRING RANGE. UNDER USAF/SPANISH AIR FORCE AGREEMENT, USAF SHARE OF COST OF BARDENAS REALES SUPPORT IS BASED ON USAF PERCENTAGE OF TOTAL RANGE USE.

B. REAL ESTATE:

SUPPLEMENTARY AGREEMENT 6 OF THE 1976 AGREEMENT IN IMPLEMENTATION AND EXCHANGE OF NOTES NO. 71 OF THE TREATY DETAIL SPANISH MILITARY FACILITIES MADE AVAILABLE FOR USE OF U.S. FORCES. THESE CONSIST OF ROTA NAVAL BASE; TORREJON, ZARAGOZA AND MORON AIR BASES; BARDENAS REALES FIRING RANGE; AND SEVERAL SMALLER FACILITIES FOR COMMUNICATIONS, FUEL STORAGE, WEATHER STUDY AND WATER SUPPLY. U.S. IS PERMITTED USE OF THESE FACILITIES FOR SPECIFIC MILITARY PURPOSES AND, IF FACILITIES ARE NO LONGER REQUIRED FOR THOSE PURPOSES, THEY SHOULD BE RETURNED TO SPAIN IN ACCORDANCE WITH PARA 6, ARTICLE VI, OF THE AGREEMENT IN IMPLEMENTATION. THE U.S. HAS WAIVED RESIDUAL RIGHTS, EXCEPT TO MOVEABLE PROPERTY, IN CONNECTION WITH RETURN OF THESE FACILITIES IF AND WHEN

THAT OCCURS.

C. PROCUREMENT OF SUPPLIES AND EQUIPMENT:

U.S. FORCES PROVIDE THEIR OWN PROCUREMENT SUPPORT,
ALBEIT WITH COOPERATION FROM OFFICES OF THE SPANISH
COMMERCE MINISTRY.

D. CONSTRUCTION:

U.S. FORCES PROVIDE THEIR OWN CONSTRUCTION SUPPORT.
HOWEVER, U.S. CONSTRUCTION MUST HAVE PRIOR APPROVAL OF
U.S.-SPANISH COUNCIL THROUGH THE JOINT COMMITTEE FOR
POLITICO-MILITARY ADMINISTRATIVE AFFAIRS PER PARA 1,
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ARTICLE II OF THE AGREEMENT IN IMPLEMENTATION.

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-----006831 060359Z /66

R 051752Z APR 78

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E. EXEMPTIONS FROM HOST COUNTRY TAXATION AND CUSTOMS
DUTIES ON OFFICIAL USG ACTIVITIES:

U.S. FORCES IN SPAIN AND U.S. CONTRACTORS EXECUTING
GOVERNMENT CONTRACTS ARE EXEMPT FROM ALL SPANISH TAXES AND
CUSTOMS DUTIES ON OFFICIAL USG ACTIVITIES. THIS INCLUDES
NON-APPROPRIATED FUND ACTIVITIES. (ARTICLES XL AND XLIV,
AGREEMENT IN IMPLEMENTATION.) PERSONAL EFFECTS,
INCLUDING ONE VEHICLE, OF MEMBERS OF U.S. FORCES ARE
EXEMPTED FROM IMPORT DUTIES UNDER ARTICLE XLII.
ARTICLE XLIII EXEMPTS U.S. PERSONNEL IN SPAIN FROM
LIABILITY FOR SPANISH TAXES, INCLUDING LUXURY TAX ON
PURCHASE OF SPANISH MADE AUTOMOBILES. ALTHOUGH PARA 3 OF
ARTICLE XLIII APPEARS CLEARLY TO EXEMPT U.S. PERSONNEL
FROM PAYMENT OF ANY TAXES ON THEIR MOVEABLE PROPERTY,
LOCAL GOVERNMENTS ARE ATTEMPTING TO COLLECT A CIRCULATION
TAX FROM U.S. PERSONNEL ON THE USE OF THEIR AUTOMOBILES.
THIS ISSUE IS BEING NEGOTIATED. U.S. PERSONNEL ARE ALSO
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PROVIDED SPANISH DRIVERS LICENSING AND VEHICLE
REGISTRATION AT NO COST UNDER PROCEDURAL ANNEXES IV AND
V OF THE AGREEMENT IN IMPLEMENTATION. STABLER

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 jan 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: ALLIANCE, COLLECTIVE SECURITY AGREEMENTS, FINANCIAL CONTRIBUTIONS, REGIONAL DEFENSE ORGANIZATIONS
Control Number: n/a
Copy: SINGLE
Draft Date: 05 apr 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 20 Mar 2014
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1978MADRID03638
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D780148-0100
Format: TEL
From: MADRID
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1978/newtext/t19780490/aaaacytn.tel
Line Count: 195
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: 7610eeb5-c288-dd11-92da-001cc4696bcc
Office: ACTION EUR
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 4
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: 78 STATE 77837, 78 MADRID 3242
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 05 may 2005
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: N/A
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 3070003
Secure: OPEN
Status: NATIVE
Subject: ALLIED DEFENSE CONTRIBUTIONS (SPAIN)
TAGS: MPOL, SP, NATO
To: STATE CINCEUR VAIHINGEN
Type: TE
vdkgvwkey: odbc://SAS/SAS.dbo.SAS_Docs/7610eeb5-c288-dd11-92da-001cc4696bcc
Review Markings:
Sheryl P. Walter
Declassified/Released
US Department of State
EO Systematic Review
20 Mar 2014
Markings: Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014